

Islam and Homosexuality

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Islam's Shariah law is based on Quranic text and the teachings and actions of the Prophet Muhammad (peace be upon him) collected in books called Hadith. In both these sources reference is made to the story of Sodom and Gomorrah which forms the basis for the law and the blanket condemnation of Homosexuality in Islam. The analogical reasoning (qiyaas) and the consensus of the scholars (ijma') are all based on the former two texts and their own interpretation of the text. What is required of contemporary Muslim scholars is to revisit those texts and the context in which it was revealed or written and see how it relates to homosex-

uality in both Western and Eastern modern contexts as well as contemporary Islamic contexts. This can be done through the process of independent reasoning (Ijtihad) which is an aspect of Islamic thought and legal reform that has been effaced and long forgotten.

The prophet Muhammad (pbuh) never dealt with homosexuality in a direct way. Neither did he call for the punishment or persecution of homosexuals on the basis of sexual orientation. The prophet Muhammad did deal with a group of effeminate men in Medina called "Mukhannathun". However, while this group of Mukhannathun did possess qualities of modern gay men, it cannot be said that the



Imam Muhsin Hendricks. Picture: Collectif Item. www.collectifitem.com

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Mukhannathun fully represents modern gay men, as they were involved in practices not common to contemporary gay men. The prophet went as far as prohibiting some of them to work in the women's chambers of the Muslim homes and banishing some of them out of Medina. These were all done on the basis of their immoral and irreligious actions, but never on the basis of sexual orientation.

This attitude towards the "Mukhannathun" and other effeminate men spilt over into the Umayyad (661 – 750) and Abbasid (758-1258) periods, for approximately 600 years after the demise of the Prophet Muhammad. Hence we find a tolerant attitude towards homosexuality in these periods. Homosexual poetry like those written by the homosexual Abu Nawas (813), flourished during this >

Imam Muhsin Hendricks > period and in the reign of the Caliph Haroon Ar-Rashid.

Without the story of Sodom & Gomorrah, which is believed to refer to "the evil homosexuality", it would be difficult for Muslims to formulate an opinion about homosexuality. If it can be proven beyond doubt that this story refers to male-to-male rape or anal sex without consent, then the argument that homosexuals deserves the same punishment as that of Sodom and Gomorrah, will fall flat on its face.

In my research over the last eight years I have pieced together the archeological findings of researchers such as Ron Wyatt and the traditions of the Old and New Testament to give us a clearer picture of the social, political and religious structure of Sodom and Gomorrah. With this information the story, as related in the Quran became clearer.

It is evident that the inmates of Sodom and Gomorrah were not homosexuals as we understand the phenomenon today, but rather aristocratic heterosexual men who had similar sexual freedoms as heterosexual men in 5th century Athens and 7th century Arabia; such freedoms that served the selfish and power needs of the patriarchy; freedoms that would allow them to have sexual encounters with a wide spectrum of individuals from animals to the right of a man to rape a woman, to the right of having sex with an under-aged boy, while at the same time having contracted a marriage with an aristocratic woman who could bear legitimate children and protect the lineage.

It was within such freedoms that anal sex was practiced in Sodom and Gomorrah on men who were not necessarily from the community, but were foreigners and guests whom they were compelled to show hospitality to by the law of Prophet Abraham. Initially this act was to humiliate them, to show dominance over them and to prevent them from re-entering their cities which they felt had resources not worthy of

being shared with outsiders. This act of anal sex without consent, a disgrace to a straight man, was finally attested by God when He sent His two angels disguised as young men to visit Lot as guests. When the news reached the community, they rushed to Lot's house to demand the surrender of these men to them. It was then when the angels revealed that by morning Sodom and Gomorrah would be destroyed and that Lot should prepare himself and his family for the exodus before dawn.

From the research information we have it is clear that the nature of the sexual atrocity committed was not one of mutual consent or homosexuality, although the latter might have been practiced, but rather an abuse of sexual power that could be described as male-to-male rape. The oft-repeated story in the Quran about the angels appearing as handsome young men to test the people of Lot, is indicative of the fact that the sexual interaction was not of mutual consent, but of rape.

In a Hadith by Abu Hurairah recorded by Abu Dawood.....One day a Mukannath, who was a

practicing Muslim but who was obviously dressed in woman's clothes and had henna paintings on his hands, was brought to the Prophet and the companions asked the Prophet's permission to kill him but the Prophet refused saying: "I was forbidden to kill those who pray", instead he was banished to Al-Naqi, a few miles outside Medina. Even after his banishment the Prophet allowed him to enter Medina once a week for his personal needs. This Hadith should be taken into consideration by those who feel it justified to kill homosexuals or even transgender persons.

We also note in Sahih Bukhari and Sahih Muslim, which are regarded as the most authentic compilations of the sayings and actions of the Prophet, do not condemn this particular group of Khannaath at all. The only reference made to same sex sexual encounters is that of the People of Lot which we >

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Imam Muhsin Hendricks > now know had to do with the grievous sin of abusing sexual power and male-to-male rape and not the condemnation of a homosexual orientation and identity which has been a natural phenomena since time immemorial.

In conclusion I would call upon the Muslim Theologians to review their attitude towards this diversity within humanity and amend Shariah laws to include the protection and rights of this diverse group of people.

God says in the Quran:
49:13

O humankind! We have created you out of the paring of a male and a female, and have made you into nations and tribes (Shu-ub also means off-shoots, sects or divisions and Qabeel also means different kinds or species), so that you might come to know one another. Verily, the noblest of you in the sight of God is the one who is most deeply conscious of God and who practice self-restraint. Truly God is all-knowing, all-aware.

17:84

Say: "Everyone acts according to his own "shakl" (disposition, specimen or make-up or fashioning) and God knows best who is guided along the way. <

Dalai Lama Expresses Support for LGBT Human Rights

Participants at the XXIII World Conference of the International Lesbian and Gay Association (ILGA) Welcome Message of Support. By www.temenos.net

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Participants at the World Conference of the International Lesbian and Gay Association received a special message of support from His Holiness the Dalai Lama. The statement expresses the Dalai Lama's concern at "reports of violence and discrimination against gay, lesbian, bisexual and transgender people" and "urges respect, tolerance and the full recognition of human rights for all."

"We are deeply grateful for the support expressed by His Holiness the Dalai Lama for human rights based on sexual orientation and gender identity", said Rosanna Flamer-Caldera and Philip Braun, Co-Secretaries-General of ILGA.

"In a world where the human rights of lesbian, gay, bisexual and transgender people are regularly violated, His Holiness' message of support is a beacon of hope and respect. We urge other world religious leaders to join with His Holiness the Dalai Lama in opposing violence and discrimination based on sexual orientation and gender identity, and demonstrate a similar commitment to respect for the human rights." >



> **Dalai Lama** The statement is welcome news for lesbian, gay, bisexual, and transgender (LGBT) Buddhists in the United States. It does not however, represent the views of all Buddhists. Roger Corless, a scholar of Buddhism and Professor of Religion Emeritus at Duke University, stated "I think it's important to understand that whatever His Holiness the Dalai Lama has to say carries great weight and is to be treated with respect but it is not to be understood as the exclusive Buddhist position or necessarily reflect the belief of the majority of Buddhists."

Corless cites many Buddhist traditions, including some that have been welcoming to LGBT Buddhists for many years. Buddhist texts do not specifically address the matter of same-sex relationships, and beliefs vary among the various schools and sects.

Tibetan Buddhism is the best known school in the United States however, and the Dalai Lama their best known leader. Tibetan Buddhists believe the Dalai Lama to be the present incarnation of Avalokitesvara, the bodhisattva of compassion.

The announcement from the Dalai Lama is a departure from earlier statements. In a 1997 press conference the Dalai Lama stated "from a Buddhist point of view [lesbian and gay sex] is generally considered sexual misconduct." This prompted a meeting with representatives of the LGBT community, in which the Dalai Lama is said to have expressed an interest in the current research and clinical understanding of sexual orientation.

The Dalai Lama's position appears to have changed and evolved over time, which Corless states is an essential aspect of Buddhism: "There is no single Buddhist creed with a list of doctrines to which one

must adhere, Buddhism is more like a set of tools that can be used and adapted over time in many different cultures and communities. Embracing change is an essential aspect of Buddhist thought." <

Statement From the Tibet Bureau, Office of the Representative of H.H. the Dalai Lama Geneva, March 30th, 2006

"I am pleased to bring you greetings from His Holiness the Dalai Lama on the occasion of the XXIII World Conference of the International Lesbian and Gay Association.

His Holiness welcomes the special attention given at this conference to religious tolerance and respect for diversity.

His Holiness is greatly concerned by reports of violence and discrimination against gay, lesbian, bisexual and transgender people.

His Holiness opposes violence and discrimination based on sexual orientation and gender identity and urges respect, tolerance, and the full recognition of human rights for all.

Finally, he expresses his best wishes for a successful conference.

On March 28, before the main ILGA conference, a pre-conference dealt with Religion and Sexual Orientation and Gender Identity. "Religion pre-conferences have been held for a number of years before ILGA World Conferences" says activist Douglas Sanders, "but Muslim participation has never been as extensive as it was at the Geneva events".

On April 1, the conference featured a plenary panel of LGBT Muslims, with speakers from Bosnia Herzegovina, Malaysia, South Africa, Turkey and the United Kingdom. Panelists described the International Initiative for Queer Muslim Visibility begun in Bosnia, and Inner Circle, a national umbrella organisation for LGBT Muslims now operating in South Africa. Participants later on launched the following

Initiative for the Advocacy of Gender, Sexuality and Human Rights in Muslim Communities

Geneva, 02 April 2006 - We, the undersigned participants of the 23rd ILGA World Conference in Geneva, have had the opportunity to meet with each other to discuss issues related to Islam, gender, sexuality and human rights in Muslim communities. As activists and scholars from a wide range of Muslim contexts, we have shared different perspectives and strategies on our work. It is abundantly clear that there is a huge range of diversity among different Muslim contexts – at the levels of experience, discourse and strategies.

This is made even more complex against a backdrop of:

- escalating hostility towards human rights in many Muslim contexts,
- escalating Islamophobia in a post-9/11 world,
- escalating religious fundamentalisms worldwide in general.

In this light, we would like to thank ILGA for providing us the platform and space to share these issues and strategies together, and also to form these new and valuable networks with each other. In addition to this, we have also been able to share the peculiarities and specific vulnerabilities that affect advocates of gender, sexuality and human rights in Muslim communities.

Out of these discussions, both during and outside formal sessions, we found that there are many unexplored avenues for further cooperation and advancement of our work. It is also evident that in framing responses and strategies, that the diversity among Muslim contexts, as well as the specific vulnerabilities of advocates working in these contexts, are taken into consideration.

We feel that there are several important dimensions and strategies that need to be addressed and considered:

∑ We need to strengthen and expand the network of activists, scholars and stakeholders working in Muslim contexts. This includes developing and exchanging research and scholarship on Islam, gender, sexuality and human rights.

∑ We recommend that ILGA extend its support to this initiative in order to build capacities to respond to issues of gender, sexuality and human rights in Muslim contexts. This can be achieved by facilitating the necessary resources and platforms for mutual engagement to ensure that Muslim voices are fairly represented.

∑ It is imperative for ILGA to be mindful of the larger socio-political dynamics when responding to violations of human rights of LGBTIQ persons in Muslim contexts.

This has been an empowering coming together of minds and experiences in the spirit of *ijtihad*, or employing independent reasoning. Not only have we succeeded in forging a working relationship to take this work further, but we have also formed close ties with each other. We are committed to taking this initiative further, and trust that ILGA will support us.